

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

EUGENE THACH, PRESIDENT 2004 PRESIDING

May 3, 2004

A. CALL TO ORDER

The May 3, 2004, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene Thach, Board President.

Chief Deputy Charlie Brown of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach-----District 2
Supervisor Bill Russell-----District 3
Supervisor Allen Latimer-----District 4
Supervisor Tommy Lewis-----District 5
W. E. Sluggo Davis-----Chancery Clerk
David Armstrong-----County Administrator
Tony Nowak-----Board Attorney

B. INVOCATION

County Administrator David Armstrong presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF APRIL MINUTES

The official minutes of the Board of Supervisors were read for the month of April 2004, pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated. Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the minutes of the Board of Supervisors, with clarifications made by the Supervisors, for the month of April 2004. The motion passed by unanimous vote.

E. OLD BUSINESS

1. Yazoo Levee Board – Dean Pennington

Dean Pennington, Executive Director Yazoo Mississippi Delta Joint Water Management District, said the Water Management District is restricted to the Delta portion of DeSoto County. Their office is in Starkville. They were formed in 1989.

Mr. Pennington said the Yazoo Mississippi Delta Joint Water Management District board is made up appointees throughout the District.

Mr. Pennington said DeSoto County has contributed at or near \$7,500 for the last year.

Mr. Pennington explained that one of the things that created the District is that, in Mississippi, almost 80% of the wells are in the Delta. He said this District has heavy use of groundwater. He said his group tries to stabilize streams. He said they are also interested in water quality. He said part of the Yazoo Mississippi Delta Joint Water Management District's goal is to remove streams from the 303 list. He said they try not to plan the whole thing at one time.

Mr. Pennington said the Yazoo Mississippi Delta Joint Water Management District has efforts underway to make improvements. He said about five years ago Tunica County was looking at their water resources. He said the District was created to organize the interests of all of the Counties in the District boundaries.

Mr. Pennington said last year they signed a contract with the Corps of Engineers for a study. He said Tunica County has entered into a contract to allow the Yazoo Mississippi Delta Joint Water Management District to use their money in other areas of the District. He said, so far, these have been small projects. He said Coahoma County is putting in a project to stop erosion into Moon Lake.

Mr. Pennington said the District has collected mylars on the Delta portion of DeSoto County. He said lydar maps will be used to make further improvements.

Supervisor Jessie Medlin asked if the whole Coldwater River is included in the District. Mr. Pennington said they are just looking at the Delta portion of the river. He said they have authority within their boundaries.

Supervisor Bill Russell asked if they map is representative of the tax base. Mr. Pennington said yes.

Supervisor Russell said the County GIS Department is doing some aerial photography now. Mr. Pennington said, according to Sam Russell, our information is very much the same, but the Yazoo Mississippi Delta Joint Water Management District is a little closer. He said the District is looking at some drainage in the County. Supervisor Russell asked if the District would like to be a part of the County's flying. Mr. Pennington said, perhaps, but drainage is not their top priority.

Mr. Pennington said he can be reached at 662-686-7712.

The Board of Supervisors thanked Mr. Pennington for his presentation.

2. MPO Citizens Advisory Board

Transportation Officer Jim McDougal presented a list of perspective appointees to the MPO Citizens Advisory Board for Board's consideration.

Supervisors Jessie Medlin suggested Road Manager Russell Dorris serve as the Board's appointee.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to carry this item over until May 17, 2004. The motion passed by a unanimous vote.

3. Approval to Amend Solid Waste Plan for Rubbish Pit

Board Attorney Tony Nowak said this is the rubbish pit that the Board has come to know as

the Koehler Pit. Mr. Nowak reminded the Board that there was a Public Hearing at the last meeting, but there were no public comments at the time. Mr. Nowak said that this is a 55-acre site for a rubbish pit on Wilson Mill Road.

Supervisor Bill Russell said since we talked about this last week, the announcement has been made about the donation of land for a school. Supervisor Russell said that Mr. Leatherman is concerned about the entrances to the rubbish pit. Supervisor Russell asked how the entrance will relate to this property. Clay Lane, representing the rubbish pit, said he has talked to Milton Kuykendall about the entrances to the rubbish pit. Mr. Lane said that they may relocate the school on the property. Mr. Lane said that they can also relocate the drive to the rubbish pit.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to amend the Solid Waste Plan to include the 55-acre site for a rubbish pit on Wilson Mill Road. The motion passed by a unanimous vote.

See Exhibit E.3

4. Election Commission Additional Space

County Administrator David Armstrong said the Board of Supervisors voted to expand the bottom floor of the Administration Building next to the Tax Assessor's office space. Mr. Armstrong said they tried to find a place to relocate the Election Commissioners in the Courthouse. Mr. Armstrong said we currently have three mini-storages rented at \$85 per unit. Mr. Armstrong said they found a potential office space building for the Election Commissioners in a building that was being purchased. He said this building is part of the Trustmark Information Center. He said the new owners have offered to lease the County the bottom floor of the building.

Mr. Armstrong said the space consists of 1150 square feet for a price of \$675 per month and that price will include utilities. Mr. Armstrong said the new space is climate controlled.

Mr. Armstrong explained that the mini-storage that is being rented is housing records and things like that, but that information could be moved to this new leased space.

Supervisor Jessie Medlin asked if any other office in the Courthouse is empty. Mr. Armstrong said no.

Supervisor Bill Russell said this sounds like a good deal especially with the owners paying the utilities.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to hire the Chamberlin Nowak Law Firm to draw up a lease agreement for this property for one year. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----	NO
Supervisor Eugene C. Thach-----	YES
Supervisor Bill Russell-----	YES
Supervisor Allen Latimer-----	YES
Supervisor Tommy Lewis-----	YES

5. Tax Assessor's Acceptance of Personnel Manual Policy

County Administrator David Armstrong presented a letter from the Tax Assessor Parker Pickle confirming that he accepts the DeSoto County Employee Handbook with the

following exceptions:

- (1) He does not accept drug testing of new hires unless instituted by the DeSoto County Tax Assessor with a probable cause.
- (2) He does not accept the wording of the DeSoto County Employee Handbook which states that the DeSoto County Tax Assessor employees are “at will” employees of the Board of Supervisors or County Administrator. The Tax Assessor employees work for the DeSoto County Tax Assessor.

In accordance with Section 19-2-9 of the Mississippi Code Annotated, the Board of Supervisors directed that the Tax Assessor’s letter be made a part of the minutes.

See Exhibit E.5

F. NEW BUSINESS

1. Communicare – Dr. Mike Roberts

County Administrator David Armstrong said the County contributes \$175,000 per year to Communicare. In exchange, Communicare does the County’s mental health evaluations for lunacies.

Dr. Mike Roberts of Communicare addressed the Board of Supervisors and said their administrative headquarters is located in Oxford, Mississippi. He said DeSoto County was the largest Communicare office in the District and they are located on West Center Street. He said Commincare provides different services including alcohol and drug abuse rehabilitation. Dr. Roberts said that many of those cases are handled through Haven House.

Dr. Roberts explained that there are seven people on the Communicare Board that governs Communicare. Mr. James Sims is the DeSoto County appointee. Mr. Roberts said that Communicare has 15 full-time employees and 6 part-time employees. Dr. Roberts said Communicare gets involved with the County on Civil commitment charges. Dr. Roberts said in that case, the patient is sent to the Communicare office. The Communicare staff meets with the patient and determines the best treatment for them. Dr. Roberts said the Communicare doctors make recommendations to the judge on the lunacies.

Dr. Roberts said that Communicare does discount their fees for most people.

Dr. Roberts said DeSoto County has helped to support Communicare’s efforts to serve the citizens of the District which includes DeSoto County. Dr. Roberts said in some Counties Communicare operates in the public school system.

Chancery Clerk Sluggo Davis asked how much money Communicare gets from other places. Dr. Roberts said Communicare annual budget is about 6.6 million dollars.

Supervisor Bill Russell asked what other facilities are allowed to do the same thing as Haven House. Dr. Roberts said the only one in Communicare service area is Parkwood in Olive Branch. He explained that Parkwood is a private hospital and they do not discount their fees. Dr. Roberts said a full fee at Haven House is \$4,000. They said a resident of a Communicare County pays much less and the fee is based on the person’s ability to pay.

Supervisors Eugene Thach asked how many patients does Communicare serve in DeSoto County. Dr. Roberts said about 1800 people.

Dr. Roberts said Communicare can be reached at 429-7875 or 662-234-7521.

2. Rally for America – Robert Farrish

Mr. Robert Farrish addressed the Board of Supervisors to thank them for their help to sponsor Rally for America. Mr. Farrish said the County donated \$2500 to this effort. Mr. Farrish said that there needs to be more patriotism in the area. He said attendance was low at the event and thanked the Board of Supervisors for their participation to make the Rally possible.

Mr. Farrish said that the Rally for America will be held again next year and they are going to make some changes in the Rally. Mr. Farrish said that the Rally supporters would love to hear the Board's ideas. Mr. Farrish said many, many flags were bought with money from the County. He said they have a flag for each branch of the military and they have 2 MIA flags. Mr. Farrish said the Rally for America could not have been done without the Board of Supervisors support.

Supervisor Jessie Medlin said he has known Mr. Farrish a good while. Supervisor Medlin said that Mr. Farrish is true to his word and he feels sure Mr. Farrish will continue to do the good job he has done in the past on the Rally for America. Supervisor Medlin thanked Mr. Farrish for his dedication.

3. USDA Wildlife Services – Jothie Gee, Beaver Control

Wildlife Specialist Jothie Gee addressed the Board of Supervisors regarding the Beaver Control contract in DeSoto County. Mr. Gee said that due to his wife getting cancer his numbers for the past year have been lower than usual because he has been on leave taking care of his family.

Mr. Gee said, as of this time, there has been no money allocated for the Beaver Program by the State Legislature. Mr. Gee said that the Legislature is supposed to vote on that funding today. Mr. Gee said that 69 Counties applied for the program for FY04 and those 69 will have first preference this year, but only 60 Counties will be accepted for the 2005 program and that will be on a first come, first serve basis. Mr. Gee said that the fee for the program will be the same as last year at \$3,000.

Mr. Gee explained that previously he had covered Marshall, Tate, DeSoto and Tunica Counties. Due to his wife's illness, his territory was cut to cover DeSoto, Tate and Tunica Counties.

Mr. Gee said that he stays in contact with the Road Manger Russell Dorris. Mr. Gee said he addresses the Board regarding the Beaver Control Program twice each year. Mr. Gee said he contract with private land-owners for beaver control when they have needs. The Board of Supervisors asked about the probability of Legislative funding for the program. Mr. Gee said that he knows the Highway Department is very supportive of the Beaver Control Program.

The Board of Supervisors asked how many beaver districts there are in the State. Mr. Gee said 24 specialists cover the 69 Counties in the program.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to authorize the County Administrator's office to apply for the BCAP program as soon as the paperwork is received and authorized the Clerk to write a check for funding of this program. The motion passed by a unanimous vote.

See Exhibit F.3

4. \$22,000,000 Bond Issue – Approval of No Protest Resolution

The Board of Supervisors addressed the \$22,000,000 Bond Issue. Demery Grubbs presented a Resolution stating the County had no protest in regard to their intent to issue a bond not to exceed \$22,000,000.

Supervisor Bill Russell asked what is the next step. Mr. Grubbs said the Board of Supervisors should make a final determination on how much bond the County will issue. Mr. Grubbs explained that the issued amount cannot exceed \$22,000,000. Mr. Grubbs said after that step is complete his firm will prepare the necessary documents and the bid will happen. Mr. Grubbs said the Country must get a bond rating during the process. Mr. Grubbs said once the bond rating has been obtained they will sell bonds.

Supervisor Bill Russell asked how long the process takes. Mr. Grubbs said three to four weeks after the dollar amount of the bond is determined. County Administrator David Armstrong asked how long Mr. Grubbs has to get the money amount. Mr. Grubbs said up to two years. However, Mr. Grubbs said he hopes the Board will determine the bond amount within one week to 10 days.

Supervisor Tommy Lewis said the Board of Supervisors should have issued a bigger bond because interest rates are low and it will likely cost the tax payers more to fund the projects that are needed in the County after this year.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to adopt a Resolution declaring the intention of the Board of Supervisors to issue General Obligation Bonds not to exceed \$22,000,000. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Eugene C. Thach-----YES
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to authorize issuing bonds in the amount of \$22,000,000 for DeSoto County projects. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Eugene C. Thach-----NO
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

See Exhibit F.4

5. Accounting

a. Claims Docket

The claims docket was presented by Tom Arnold and Stephanie Hanks of the Accounting Department. Ms. Hanks read the items on the claims docket individually and the Board discussed these items.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Eugene C. Thach-----YES
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

b. Late Bills

(1) Constable

At the recommendation of the Comptroller, Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve the late bill for the Constables fees and authorize the Clerk to write the check as follows:

CONSTABLE	CRIMINAL	CIVIL	TOTAL
Chris Sing	\$325	\$2,645	\$2,970
Floyd Medlin	\$ 125	\$ 1,525	\$ 1,650
Lee Hodge	\$ 600	\$ 1,805	\$ 2,405
Joe Holmes	\$ 325	\$ 3,120	\$ 3,445

The motion passed by a unanimous vote.

See Exhibit F.5.b (1)

(2) Tax Collector

Comptroller Tom Arnold presented a request to the Board of Supervisors from the Tax Collector to fund four employees in his office to go to training. Supervisor Tommy Lewis asked if the money is in the Tax Collectors budget.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to authorize the Clerk to write the check for four employees from the Tax Collector’s office to receive training including, but not limited to Cabot Lodge Millsaps, Mississippi Chapter of the IAAO, and other travel related expenses. The motion passed by a unanimous vote.

See Exhibit F.5.b (2)

(3) Olive Branch Library

Director of Building and Grounds Kenny Evans said this is the last pay request on the Olive Branch Library. Mr. Evans said the contractor has not been paid in three months as the contractor and the architect have been working on the pay request. Therefore, the contractor and the architect are asking for the Board’s expedited consideration to pay the contractor now. Mr. Evans said this will leave \$53,337.65 in retainage on the building.

Supervisor Jessie Medlin asked about the parking lot where the contractor tore up the existing parking lot. Mr. Evans said that he is talking to the contractor about that now.

Supervisor Bill Russell asked if the balance of the problems with the contractor will be covered by the \$53,000. Kenny Evans said yes.

Supervisor Bill Russell asked Mr. Evans to put together a list of concerns that the Board can use to determine what should be charged back to the contractor.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded

the motion to authorize the Clerk to write the check to Engineering Management Construction in the amount of \$47,036.70 for pay app number 9 and \$43,118.65 for pay app number 10. The motion passed by a unanimous vote.

See Exhibit F.5.c

c. Ratify Bond Payments

Verified loan repayment documents for DeSoto County Account 05648-049, Mississippi Development Bank Promissory Note were presented by copy to each Supervisor. Payment was made to Hancock Bank against the following accounts as follows:

<u>Account #</u>	<u>Description</u>	<u>Payment Amount</u>
001-801-800	Principal	\$ 31,250.00
001-801-802	Interest	<u>\$ 13,662.07</u>
		\$ 44,912.07

Verified loan repayment documents for the \$18,000,000 MS Development Bank Special Obligation Bonds, were presented by copy to each Supervisor.

Payment for principal and interest to be made through Trustmark Bank for check #001845 issued 4/29/04 against the following account:

<u>Account #</u>	<u>Description</u>	<u>Payment Amount</u>
215-800-802	Interest	\$ 17,533.60

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to ratify the bond payments as described above. The motion passed by a unanimous vote.

See Exhibit F.6.d

6. Purchasing

a. Authorization to Open Bids

- (1) DeSoto Road - 0.51 Miles**
- (2) Hot Asphalt Overlay on Various Roads**
- (3) One or More 50 Ton Lowboy Trailer**
- (4) One or More Single Axle Boom Truck**
- (5) One or More Tractor Truck**

At the recommendation of the Director of Purchasing, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator or his designee to open bids as follows:

- 1. DeSoto Road - 0.51 Miles – May 28, 2004, 10:00 a.m.
- 2. Hot Asphalt Overlay on Various Roads – May 28, 2004, 10:00 a.m.
- 3. One or More 50 Ton Lowboy Trailer – May 24, 2004, 10:00 a.m.
- 4. One or More Single Axle Boom Truck - May 24, 2004, 10:00 a.m.
- 5. One or More Tractor Truck - May 24, 2004, 10:00 a.m.

The motion passed by a unanimous vote.

See Exhibit F.6.a

b. Approval to Advertise for Bids – Sheriff Department Motorcycles

At the recommendation of the Sheriff Department and the Purchasing Director, Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve going out to bid for two motorcycles for the DeSoto County's Sheriff's Department with an option to trade two existing motorcycles in at the time of purchase. The motion passed by a unanimous vote.

See Exhibit F.6.b

7. Tax Exemptions

Jim Flanagan, Executive Director of the Economic Development Council, and representatives from various companies addressed the Board of Supervisors about tax exemptions in the County.

a. Alcoa CSI

Mr. Charles Smiley of Alcoa CSI appeared before the Board of Supervisors requesting a Real and Personnel Tax Exemption for Alcoa CSI.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve a 10 year Real Property Exemption in the amount of \$497,604.45 and a 5 Year Personal Property Exemption in the amount of \$5,616,418.02, for a total exemption of \$6,114,022.47. The motion passed by a unanimous vote.

See Exhibit F.7.a

b. Alcoa Extrusions

Tom Ziegler of Alcoa Extrusions appeared before the Board of Supervisors requesting a 10 year Real Property Exemption and a 5 Year Personal Property Exemption for Alcoa Extrusions.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve a 10 year Real Property Exemption for Alcoa Extrusion in the amount of \$6,945,762.89 and a 5 Year Personal Property Exemption in the amount of \$12,392,409.85, for a total exemption of \$19,338,172.74. The motion passed by a unanimous vote.

See Exhibit F.7.b

c. National Pump

Stan Johnson of National Pump Company appeared before the Board of Supervisors requesting a Freeport Exemption for National Pump. Mr. Johnson explained that National Pump purchased Grassland Irrigation two years ago and moved to DeSoto County. He said they have 27 full-time employees and 11 of those employees live in DeSoto County. He said there are two other employees from other Counties in Mississippi. He said the rest of the employees moved with them from Shelby County. Mr. Johnson explained they have three additional temporary employees who are not included in the previous numbers.

Supervisor Tommy Lewis asked how their product is used. Mr. Johnson said they are used in a water well or a treatment plant.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve a Freeport Tax Exemption for the National Pump Company. The motion passed by a unanimous vote.

See Exhibit F.7.c

d. Emerson Motor

Mr. Jim Adams appeared before the Board of Supervisors regarding a Personal Property Tax Exemption for Emerson Motor Company.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve a 10 Year Personal Property Tax Exemption for the Emerson Motor in the amount of \$3,305,643. The motion passed by a unanimous vote.

See Exhibit F.7.d

e. Quebecor

Dean Redden of Quebecor World appeared before the Board of Supervisors regarding a Personal Property Tax Exemption for Quebecor World.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve a 5 Year Personal Property Tax Exemption for Quebecor World in the amount of \$839,354. The motion passed by a unanimous vote.

See Exhibit F.7.e

f. Sherwin Williams

Darlene Regan appeared before the Board of Supervisors regarding a Real and Personal Property Tax Exemption for Sherwin Williams.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve a 10 Year Real Property Tax Exemption for Sherwin Williams in the amount of \$364,216.49, and a 5 Year Personal Property Tax Exemption for Sherwin Williams in the amount of \$2,682,288.00. The motion passed by a unanimous vote.

See Exhibit F.7.f

8. Approval of Bailiff Pay

Pursuant to Section 25-7-27, Section 1, paragraph (e), which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, Mississippi Code of 1973, Annotated, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to pay Joe Holmes the amount of \$120.00 for the month of April 2004; to pay Lee Hodge the amount of \$160.00 for the month of April 2004; to pay Floyd Medlin the amount of \$120.00 for the month of April 2004; and to pay Chris Sing the amount of \$120.00 for the month of April 2004 for their services as Bailiffs for DeSoto County Justice Court. The motion passed by a unanimous vote.

See Exhibit F.8

9. Constable Annual Report

In accordance with Section 7-3-45 of the Mississippi Code, which states each and every constable being compensated in whole or in part on a fee basis shall file not later than April 15 of each year, with the Secretary of State, a true and accurate annual report on a form supplied to each by the State Auditor of Public Accounts immediately after January 1 of each year, to include, at least, information showing gross receipts from all sources accruing as compensation to his office and disbursements occurring as necessary expenses involved

solely in complying with laws governing the office, Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion to accept the Fee Officers Earning Report of Constable Joe Holmes and Constable Floyd Medlin for the 2003 Calendar Year into the minutes. The motion passed by a unanimous vote.

See Exhibit F.9

10. Justice Court

a. Approval of Justice Court Report

Justice Court Clerk Linda Aldridge presented the Justice Court Report to the Board of Supervisors for the month of April 2004. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the Justice Court Report for the month of April 2004 attached as Exhibit F.10. The motion passed by a unanimous vote.

See Exhibit F.10.a

b. Request for Refund

At the recommendation of the Justice Court Clerk Linda Aldridge and Justice Court Judge Ken Adams, Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to authorize the Clerk writing a check to refund Kashier Graham of 12365 Hwy 78 Olive Branch, MS, the amount of \$54.00 in the Justice Court Civil Case #22-747 due to the fact that the DeSoto County Justice Court has no jurisdiction in the case. The motion passed by a unanimous vote.

See Exhibit F.10.b

11. Approval of Travel

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi is hereby authorized to travel during the period of May 3, 2004, to June 7, 2004, as necessary, and incur travel expenses in the performance of their official duties for DeSoto County; that all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize DeSoto County employees to travel during the period of May 3, 2004, to June 7, 2004, as necessary, and incur travel expenses in the performance of their official duties for DeSoto County. The motion passed by a unanimous vote.

12. Approval of Publication of Board Proceedings

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the publication of Board Proceedings in accordance with Section 19-3-33 of the Mississippi Code, which states that the Board of Supervisors may have its proceedings published in some newspaper published in the county, and cause the same to be paid for out of the county treasury. The motion passed by a unanimous vote.

13. Approval to Renew Lease Agreement – Y-CAP

County Administrator David Armstrong presented a request to renew the lease agreement with Y-CAP. Mr. Armstrong forwarded the recommendation of Judge Mills Barbee for the

renewal of the lease.

Supervisor Jessie Medlin asked why Y-CAP cannot pay rent. Mr. Armstrong said Y-CAP is an independent agency serving the youth in DeSoto County and working with Youth Court. However, they do not fall under the grant proceeds that the DCAOP has.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to extend the lease agreement with Y-CAP for one year and authorized the Chamberlin Nowak Law Firm to draw up the lease agreement if necessary. The motion passed by a unanimous vote.

See Exhibit F.13

14. Approval of Chancery Clerk Allowance

On this date, the County Administrator, David Armstrong presented on behalf of the Chancery Court Clerk, W. E. Davis, an order of Allowances to the Board of Supervisors for the April 2004 term in the amount of \$840.00. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve these payments, pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The motion passed by a unanimous vote.

See Exhibit F.14

15. Approval of Circuit Clerk Allowance

On this date, County Administrator David Armstrong presented on behalf of the Circuit Court Clerk Dale Thompson, an Order of Allowances to the Board of Supervisors for the County Court for vacation days the March, 2004, term in the amount of \$3,150.00 for allowances to the Circuit Clerk. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve this payment of \$3,150 for allowances to the Circuit Clerk, pursuant to Sections 25-7-13, and Section 25-7-13 of the Mississippi Code of 1972, Annotated. The motion passed by a unanimous vote.

See Exhibit F.15

16. Grants

a. Approval to Apply for Kodak American Greenways Grant for Parks

Grants Administrator Joyce Herring notified the Board of Supervisors that there is a \$2,500 Federal grant for parks. Ms. Herring said there is no match to the grant.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to authorize the Grants Administrator to apply for the Kodak American Greenways Grant. The motion passed by a unanimous vote.

See Exhibit F.16.a

b. Approval to Apply for TANF Grant for DCAOP

Grants Administrator Joyce Herring notified the Board of Supervisors that there is a \$185,454 TANF grant for DCAOP. Ms. Herring said there is no match to the grant.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the

motion to authorize the Grants Administrator to apply for the TANF grant in the amount of \$185,454 with no match. The motion passed by a unanimous vote.

See Exhibit F.16.b

c. Approval to Apply for COPS in School Grant

Grants Administrator Joyce Herring notified the Board of Supervisors that there is a COPS in School grant of up to \$125,000 per entry level officer over a three year period. Ms. Herring said there is a 75/25 match to the grant and she explained that the yearly match for the County will increase over the three year period.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Grant Administrator to apply for the COPS in Schools Grant for 2 officers. The motion passed by a unanimous vote.

See Exhibit F.16.c

17. Inventory Dispositions - Preliminary

- a. Planning Commission**

b. Board of Supervisors

c. Building and Grounds

d. Operations and Maintenance

e. Civil Defense

f. County Administrator

g. County Court
- h. Circuit Court Administrator (2)**

i. DCAOP

i. Metro Narcotics

j. Chancery Court Administrator

k. County Engineer

l. Emergency Medical Services

m. Volunteer Fire

At the recommendation of the Inventory Clerk, Joyce Herring, Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to approve the preliminary inventory dispositions for Data Processing as follows:

	ASSET #	DESCRIPTION	SERIAL #	REASON
a. Planning Commission	30856	Motorola Cell Phone	777DA828	Outdated
b. Board of Supervisors	30867	Nokia Cell Phone	11015263832	Outdated
c. Building and Grounds	31040	Nokia Cell Phone	0940663937	Broken
d. Operations and Maintenance	31041	Nokia Cell Phone	09406639742	Outdated
e. Civil Defense	32464	Nokia Cell Phone	25313568608	Outdated
f. County Administrator	31863	Nokia Cell Phone	07405529344	Broken
g. County Court	30897	Motorola Cell Phone	10415883149	Broken
h. Circuit Court Administrator	32077	Nokia Cell Phone	09402501528	Broken
i. DCAOP	32277	Nokia Cell Phone	07407122931	Broken
j. Metro Narcotics	33094	Nokia Cell Phone	07312584500	Broken
k. Chancery Court Administrator	0032076	Nokia Cell Phone	07805673128	Outdated
l. County Engineer	33795	Nokia Cell Phone	04302306616	Lost
m. Emergency Medical Services	30175	BS Mobile Phone	00423762	Outdated
n. Volunteer Fire	30176	BS Mobile Phone	00418389SUN1938WC	Updated Phone

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----ABSENT
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

See Exhibit F.23.b

18. Approval of Inventory Disposal of Computer Equipment to a Recycler

County Administrator David Armstrong said the County cannot dispose of computer screens in the rubbish pit because of the mercury content. Mr. Armstrong presented a proposal from 5R Processors Ltd. to recycle this equipment. The Board of Supervisors asked the cost of the service. Building and Grounds Director Kenny Evans said a 17” monitor will cost between \$10-\$11. He said the company will pick the equipment up. The Board of Supervisors discussed the pros and cons of using this service. Supervisor Lewis said he has read that some of the equipment is shipped to China where safety regulations may not be in the best interest of the people. Board Attorney Tony Nowak advised that the contract will need to be approved by his office to make sure it conforms to State law.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve the contract with 5R Processors Ltd. subject to the Board Attorney’s recommendation of the contract and the motion approved accepting the list of equipment that can be sent to this company to recycle and instructed by the motion that only items not appropriate for the landfill be considered for this recycling agent and authorized the Clerk to pay the fees associated with these disposals. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Eugene C. Thach-----YES
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----NO

See Exhibit F.18

19. Sheriff Department – Request for an Additional Copier

At the request of the DeSoto County Sheriff’s Department, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve an additional copier for the DeSoto County Sheriff’s Department with the term of the lease to coincide with the rest of the copiers in the County contracted through CopyPlus. The motion passed by a unanimous vote.

See Exhibit F.19

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to recess the meeting until 1:15 p.m. The motion passed by a unanimous vote.

20. Sheriff’s Employee Report

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to acknowledge receipt of the Sheriff’s Department Employee Report for the month of April 2004. The motion passed by a unanimous vote.

See Exhibit F.20

21. Board of Education - School Bus Turnaround

After receiving the estimate from the Road Manager Russell Dorris for 4 loads of gravel for 970 Oak Grove and 3 loads of limestone for 3996 Baldwin Road South and a request from the Superintendent of Education regarding the School Bus Turnaround and in accordance with Section19-3-42, Mississippi Code of 1972 as amended, stating that the

school bus turnarounds will be built, maintained and improved, Supervisor Tommy Lewis made the motion to build, maintain, and improve the properties in the Superintendent's letter dated April 21, 2004 directed the County Road Manager to carry out this order of this Board forthwith. Supervisor Jessie Medlin seconded the motion for the following list:

Martha Nelson	970 Oak Grove	Hernando, Ms.	Bus#257
Johnny Dillard	3996 Baldwin Rd. S.	Hernando, Ms.	Bus#222

The motion passed by a unanimous vote.

See Exhibit F.21

22. Central Maintenance

- a. Road Bond/Bond Reduction Report**
- b. Road Report and Work Schedule**

Pursuant to Section 65-17-7 of the Mississippi Code of 1972, Annotated, Road Manager Russell Dorris presented the Road Report for March 26, 2004, thru April 25, 2004, and the Work Schedule for the month of May 2004. Mr. Dorris also presented the Road Bond Report for the Supervisors' review.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve the Road Manager's Road Report and Work Schedule Report and the Road Bond Report. The motion passed by a unanimous vote.

See Exhibit F.22

23. Making State Approval of Interlocal Agreements Part of the Minutes

- a. City of Horn Lake – Tax Assessor**
- b. City of Horn Lake – Tax Collector**
- c. City of Walls - Tax Assessor**
- d. City of Walls – Tax Collector**

Board Attorney Tony Nowak said there are a couple of amendments to the Interlocal Agreements for the City of Horn Lake and City of Walls for the Tax Collector and Tax Assessor collections and assessments.

Supervisor Bill Russell asked if the Tax Assessor and Collector get paid by the Cities to collect their taxes. Mr. Armstrong said yes. Supervisor Russell said if the Tax Assessor and Collector are using County employees and County equipment why is it necessary to pay the officials extra money.

Supervisor Allen Latimer asked questions about the wording in the document and asked for an explanation of the \$2500 reimbursement to the Cities.

The Board of Supervisors determined it may be better to find out more about the Interlocals before further discussing this approval. Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to hold this item over until May 5, 2004. The motion passed by a unanimous vote.

See Exhibit F.23

F. EXECUTIVE SESSION

The executive session portion of these minutes are recorded under the portion of the minutes called "Executive Session".

G. OTHER ISSUES

1. Air Quality DEQ

Transportation Officer Jim McDougal notified the Board of Supervisors that State of Tennessee Congressman Ford wrote a letter of complaint about DeSoto County's approval to be out of the Memphis area for ozone attainment purposes. Mr. McDougal said that Dwight Wylie is preparing a letter of response to Congressman Ford's letter.

2. Justice Court – Constables Fees

Supervisor Jessie Medlin said when the County files papers for the Code Enforcement Officer's clean up projects Constables are required to serve papers on the individuals who need to clean their property. Supervisor Medlin explained that when it goes to Justice Court it becomes a criminal matter. The Constables get the papers and often they have to go several times to the individual before they are able to serve papers. Ultimately, the Justice Court Judge often gives the person needing to clean their property another month to clean up. In that case, the State and the Constable don't get anything out of all their efforts to enforce the County Ordinances. Supervisor Medlin said if the Judges do not fine the people anything then the Constables don't get any pay for the expenses they have incurred trying to serve the papers.

County Administrator David Armstrong said, at the end of the year, Constables get a lost cost fee of \$1,000 for times they are unsuccessful at collecting fees. Mr. Armstrong acknowledged that \$1,000 would not go far when this is a common occurrence when serving papers.

Supervisor Tommy Lewis said that the Judges may not be aware of how much effort goes into the cleaning of property.

The Board of Supervisors discussed the inequities in the Justice Court system to collect fines after expenses have been incurred by the County and the Constables. The Board Attorney said the Judges may not be aware that the County has gone to such great effort to work with the property owners before they are taken to Court and they also may not be aware of all the cost incurred by the County and the Constable. Mr. Nowak said the Judges could fine the individuals Court cost and suggested that the Code Enforcement Officer request that the Judges do so.

The Board of Supervisors asked David Armstrong to discuss the issue with the Judges.

3. Bankruptcies on Delinquent Taxes

Chancery Court Clerk Sluggo Davis said his office has done all the work necessary for the delinquent tax notices. Mr. Davis explained that the Tax Collector, Joey Treadway, transfers delinquent parcels to his office. Mr. Davis said that two of the properties that were transferred as delinquent are in bankruptcy and he has received a letter from the bankruptcy attorney threatening to sue the County if the taxes are not reversed.

At the request of the Chancery Clerk, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to hire the Chamberlin Nowak Law Firm or associated council to handle any notices of bankruptcy dealing with delinquent taxes for DeSoto County. The motion passed by a unanimous vote.

See Exhibit G.3

4. Board of Supervisors Calendar

Supervisor Eugene Thach said he thought it would be a good idea for the Board of Supervisors office to have a calendar for the Board to use to help them identify meetings and deadlines. The Board of Supervisors agreed.

5. Board of Supervisors

Supervisor Bill Russell said he has the computer and Internet at his home. Supervisor Russell said he can handle a lot of work through the use of his computer and Internet for the County. Supervisor Russell said he has asked about getting a monetary figure on how much benefit the County would receive if the Supervisors had computers and Internet services in their homes. Supervisor Russell said he thinks it would be beneficial to the County offices and to the Board. Supervisor Russell said a lot of business can be handled over the Internet.

County Administrator David Armstrong said that would facilitate a lot of County business.

Supervisor Allen Latimer said he would still like to get his information in a hard copy as well.

Supervisor Eugene Thach said he does not think the tax payers should have to pay for those services in the Board of Supervisors homes. Supervisor Russell said once you get into using a computer and the Internet, you would wonder how you ever did without it. No motions were made nor vote taken on this issue.

6. Estates of Center Hill Subdivision

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to allow a building permit to be issued for Lot 17 of the Estates of Center Hill Subdivision as it was determined that this lot is not subject to flooding, and there would be detrimental effect to the health and safety of the property owners if flooding occurred in the subdivision because of the location of the particular lot. The motion passed by a unanimous vote.

7. Central Maintenance – Surplus Sale

Road Manager Russell Dorris said that two hydro mowers and two versa mowers were left off the surplus list.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to declare the two hydro mowers and two versa mowers as surplus and authorize the Road Manager to include these items in the surplus sale. The motion passed by a unanimous vote.

ASSET # DISPOSAL	SERIAL #	DESCRIPTION	REASON FOR
33676	01203	2002 Alamo Hydro 60 Mower Only	Declared Surplus
33677	01204	2002 Alamo Hydro 60 Mower Only	Declared Surplus
33861	05969	2002 Versa Mower 60” Only Purchased attached to Asset #31843	Declared Surplus
33860	05989	2002 Versa Mower 60” Only Purchased attached to Asset #31844	Declared Surplus

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to recess the meeting until May 5, 2004 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 3rd day of May 2004, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Eugene Thach, President
DeSoto County Board of Supervisors